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*Attorneys for Defendants,
Jay Barth, Julio Calderin, Charles Daniels,
James Dzurenda, Javier Garcia, Monique Hubbard-Pickett,
Calvin Johnson, Keith McKeehan, Jennifer Nash,
Gary Piccinini, Jonathan Rivera, Kim Thomas,
Vangela Thompson, Harold Wickham, and Brian Williams*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ERNEST GUARDADO,

Plaintiff

v.

JAMES DZURENDA, *et al.*,

Defendants

Case No. 2:21-cv-00994-GMN-EJY

**STIPULATION AND ORDER TO
DISMISS
WITH PREJUDICE**

IT IS HEREBY STIPULATED by and between Defendants, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Victoria C. Corey, Deputy Attorney General, of the State of Nevada, Office of the Attorney General, and Ernest Guardado, *Pro Se* Plaintiff, under Rule 41(a)(1)(A)(ii), Federal Rules of Civil Procedure, that the above-captioned action shall be dismissed with prejudice, with each party bearing their own attorney's fees and costs.

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The Parties have resolved this matter in its entirety and agree that the Court may accordingly close the case, with prejudice. Any outstanding deadlines are considered moot.

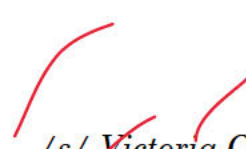
DATED this 14th day of May 2024.

DATED this 14th day of May 2024.

AARON D. FORD
Attorney General



Ernest Guardado
Plaintiff, pro se

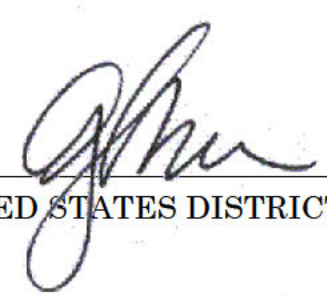


/s/ Victoria C. Corey
Victoria C. Corey, (Bar No. 16364)
Attorneys for Defendant

ORDER

IT IS SO ORDERED. This matter is DISMISSED WITH PREJUDICE and the Clerk of Court is kindly instructed to close the case.

DATED July 8, 2024.



UNITED STATES DISTRICT JUDGE

EXHIBIT A

Declaration of Victoria C. Corey

EXHIBIT A

AARON D. FORD
Attorney General
VICTORIA C. COREY (Bar No. 16364)
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ERNEST GUARDADO,

Plaintiff,

v.

JAMES DZURENDA, *et al.*,

Defendants.

Case No. 2:21-cv-00994-GMN-EJY

**DECLARATION OF DEPUTY
ATTORNEY GENERAL
VICTORIA C. COREY**

I, Victoria C. Corey, Deputy Attorney General, being first duly sworn, under penalty of perjury under the laws of the United States deposes and says:

1. I am over the age of 18 and am otherwise fully competent to testify to the facts contained in this declaration.

2. I am a Deputy Attorney General for the State of Nevada.

3. On March 12, 2024, the parties in the matter of *Ernest Guardado v. James Dzurenda, et al.*, USDC 2:21-cv-00994-GMN-EJY, attended a settlement conference. A settlement agreement was reached.

4. That same day, I personally sent Ernest Guardado (Guardado) the proposed settlement agreement, as well as a proposed stipulation to dismiss, both for signature.

5. On March 13, 2024, I received Guardado's signature on the settlement agreement. In response, I asked Guardado to sign the stipulation to dismiss as well, and sent him back the fully executed settlement agreement.

6. On May 13, 2024, I followed up with Guardado regarding signing the stipulation to dismiss.

7. On May 14, 2024, Guardado responded with a signed document, however that document was the settlement agreement again, not the stipulation to dismiss.

8. That same day, I responded to Guardado, informing him I already had the signed settlement agreement and that I needed the signed stipulation to dismiss.

9. Receiving no response, after the June 12, 2024, hearing, I once again reached out to Guardado regarding the stipulation to dismiss.

10. During all email communications up to this point, I had been communicating with Guardado through the following email address: ejguardado1582@gmail.com.

11. On July 6, 2024, I received a signed stipulation to dismiss from the email address “njg19981995@gmail.com”.

12. While this is not the same email address that I have been communicating with Guardado through, the signed stipulation to dismiss was the same stipulation to dismiss I had previously sent Guardado on numerous occasions.

13. As such, to the best of my knowledge, Guardado did in fact sign the stipulation to dismiss in this matter.

14. I hereby certify that Exhibit B, attached to the Stipulation to Dismiss, are true and accurate copies of email correspondences between myself and Plaintiff, Ernest Guardado.

FURTHER, I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

EXECUTED this 8th day of July, 2024.

/s/ Victoria C. Corey
VICTORIA C. COREY, Bar No. 16364
Deputy Attorney General, State of Nevada

EXHIBIT B

Emails Between Victoria C. Corey
and Ernest Guardado

EXHIBIT B

From: [Ernest](#)
To: [Victoria C. Corey](#)
Subject: settlement
Date: Wednesday, March 13, 2024 9:17:36 AM

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[2024.03.12 Settlement Agreement.pdf](#)

From: [Victoria C. Corey](#)
To: [Ernest](#)
Cc: [Karen A. Easton](#)
Subject: RE: settlement
Date: Wednesday, March 13, 2024 10:04:00 AM

Thank you – I will have Warden Bean sign it and send you back the final version.

Were you able to sign the stipulation to dismiss as well?

Victoria C. Corey

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From: Ernest <ejguardado1582@gmail.com>
Sent: Wednesday, March 13, 2024 9:17 AM
To: Victoria C. Corey <vcorey@ag.nv.gov>
Subject: settlement

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

☐ [2024.03.12 Settlement Agreement.pdf](#)

From: [Victoria C. Corey](#)
To: [Ernest](#)
Cc: [Karen A. Easton](#)
Subject: RE: settlement
Date: Thursday, March 14, 2024 9:03:00 AM
Attachments: [Guardado Settlement Agreement - fully signed.pdf](#)

Mr. Guardado – attached is the fully executed settlement agreement.

Victoria C. Corey

Deputy Attorney General
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From: Ernest <ejguardado1582@gmail.com>
Sent: Wednesday, March 13, 2024 9:17 AM
To: Victoria C. Corey <vcorey@ag.nv.gov>
Subject: settlement

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☐ [2024.03.12 Settlement Agreement.pdf](#)

From: [Victoria C. Corey](#)
To: ["Ejguardado1582@gmail.com"](mailto:Ejguardado1582@gmail.com)
Cc: [Karen A. Easton](#)
Subject: RE: Settlement Agreement for 2:21-cv-00994-GMN-EJY
Date: Monday, May 13, 2024 11:38:00 AM
Attachments: [2024.03.12 Stip to Dismiss.docx](#)
Importance: High

Mr. Guardado;

I am following up as I have not received the signed stip to dismiss from you yet. My understanding is that all monies have been sent to your address already.

Thank you,

Victoria C. Corey

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From: Victoria C. Corey
Sent: Tuesday, March 12, 2024 9:59 AM
To: Ejguardado1582@gmail.com
Cc: Karen A. Easton <KEaston@ag.nv.gov>
Subject: Settlement Agreement for 2:21-cv-00994-GMN-EJY
Importance: High

Mr. Guardado;

Thank you for attending the settlement conference today and being willing to settle the above referenced case. As promised, attached is the proposed settlement agreement. Please review

it and let me know if you require or request any changes. As stated, I am fine with e-signing the agreement. If you somehow cannot e-sign it, if you would email me that I have permission to sign on your behalf, I will affix your e-signature for you.

Additionally, I have attached the stipulation to dismiss the case. If you could sign that as well, I will ensure it does not get filed until I know that the money has been sent to you and I will check in with you to make sure it has been received.

Please let me know if you have any questions!

Victoria C. Corey

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From: [Ernest](#)
To: [Victoria C. Corey](#)
Subject: Ernest Guardado has shared a file with you
Date: Tuesday, May 14, 2024 6:19:10 AM

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From: [Ernest](#)
To: [Victoria C. Corey](#)
Subject: Settlement agreement
Date: Tuesday, May 14, 2024 6:20:15 AM

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I apologize for the tardiness of the document I thought I sent it out but it was sitting in my dress please let me know if there is anything else you need thank you

From: [Victoria C. Corey](#)
To: [Ernest](#)
Cc: [Karen A. Easton](#)
Subject: RE: Ernest Guardado has shared a file with you
Date: Tuesday, May 14, 2024 8:50:00 AM
Attachments: [Stip to Dismiss.pdf](#)
Importance: High

Mr. Guardado –

We have the signed settlement agreement – we don't have the signed stipulation to dismiss. I have attached it here again for your convenience.

Victoria C. Corey

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From: Ernest <ejguardado1582@gmail.com>
Sent: Tuesday, May 14, 2024 6:18 AM
To: Victoria C. Corey <vcorey@ag.nv.gov>
Subject: Ernest Guardado has shared a file with you

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From: [Victoria C. Corey](#)
To: [Ernest](#)
Cc: [Caryn K. Haller](#)
Subject: RE: Ernest Guardado has shared a file with you
Date: Friday, July 5, 2024 4:40:00 PM
Attachments: [Stip to Dismiss.pdf](#)
Importance: High

Mr. Guardado –

I am following up on my emails below. I am attempting to prevent having to file something in the case. Please sign the attached stipulation to dismiss for this case.

Victoria C. Corey

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From: Victoria C. Corey
Sent: Tuesday, May 14, 2024 8:50 AM
To: Ernest <ejguardado1582@gmail.com>
Cc: Karen A. Easton <KEaston@ag.nv.gov>
Subject: RE: Ernest Guardado has shared a file with you
Importance: High

Mr. Guardado –

We have the signed settlement agreement – we don't have the signed stipulation to dismiss. I have attached it here again for your convenience.

Victoria C. Corey

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From: Ernest <eiguardado1582@gmail.com>
Sent: Tuesday, May 14, 2024 6:18 AM
To: Victoria C. Corey <vcorey@ag.nv.gov>
Subject: Ernest Guardado has shared a file with you

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From: [Ernest](#)
To: [Victoria C. Corey](#)
Subject: Ernest Guardado has shared a file with you
Date: Saturday, July 6, 2024 12:06:33 AM

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